



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held November 25, 2008, the Board took the following action:

39-A

The following statement was entered into the record for Supervisors Yaroslavsky and Antonovich:

“Accountability and integrity are the hallmarks of any democratic system which can expect to earn and retain the confidence and support of the people it serves. It is vitally important that government not only do the right thing, but be seen by the public as doing the right thing. Transparency and openness in all aspects of governmental conduct are central to that purpose.

“We therefore recommend that the Board direct the Chief Executive Officer and all County Departments that henceforward it shall be County policy in all contracting matters that:

1. There will be no discarding, shredding or other destruction of scoring sheets, personal notes or any evaluation materials created and utilized to form the basis for recommendations in a competitive bidding process, and the County shall retain these materials for review and inspection as necessary;
2. The use of consensus-only scoring shall be immediately suspended for all future competitive bidding and contract evaluations not already underway, until the Board of Supervisors directs otherwise;
3. The Internal Services Department, County Counsel and Acting Auditor-Controller jointly undertake a comprehensive review of contracting policies and practices in other jurisdictions, giving particular attention to the relative merits of the consensus vs. averaging scoring method; and

(Continued on Page 2)

4. Return to the Board within 60 days with findings and recommendations to develop a new, consistent and uniformly applied contracting policy for the County to adopt as the 'best practice,' provided that such policy incorporate provisions permanently prohibiting the destruction, and requiring the retention, of all scoring and evaluation materials."

Supervisor Molina made a suggestion that Supervisors Yaroslavsky and Antonovich's recommendation be amended to instruct County Counsel to report back to the Board in 60 days on whether or not the Proposition A (Prop A) analysis can be released once the Request for Proposal (RFP) closes; and in the event a Department makes substantive changes to the Statement of Work and/or dollar amounts identified in the RFP, a new Prop A analysis shall be conducted. Supervisors Yaroslavsky and Antonovich accepted Supervisor Molina's recommendation.

After discussion, Supervisor Yaroslavsky revised Recommendation No. 1 as follows:

1. There will be no discarding, shredding or other destruction of scoring sheets, ~~personal~~ all notes, documents or any evaluation materials created and utilized to form the basis for recommendations in a competitive bidding process, and the County shall retain these materials for review and inspection as necessary.

Additionally, Supervisor Yaroslavsky made an amendment to his and Supervisor Antonovich's recommendation to apply the County Policy only to existing RFPs that do not make reference to a scoring process; and to instruct Chief Executive Officer to report back in one week on how many RFPs were issued prior to November 21, 2008 that reference a scoring process, including how many there are and what they are for.

Tanya Akel, Paul Hayes and Arnold Sachs addressed the Board.

William T Fujioka, Chief Executive Officer, and Raymond Fortner, Jr., County Counsel responded to questions posed by the Board.

(Continued on Page 3)

After further discussion, on motion of Supervisor Yaroslavsky, seconded by Supervisor Knabe, unanimously carried, the Board took the following actions:

1. Directed the Chief Executive Officer and all County Departments that henceforward it shall be County policy in all contracting matters that:
 - There will be no discarding, shredding or other destruction of scoring sheets, all notes, documents, or any other evaluation materials created and utilized to form the basis for recommendations in a competitive bidding process, and the County shall retain these materials for review and inspection as necessary, for RFPs currently in progress that do not make reference to a scoring process;
 - The use of consensus-only scoring shall be immediately suspended for all future solicitations, as well as for all solicitations currently in progress, that do not make reference to a scoring process, and for which the evaluation is not already in process, until the Board of Supervisors directs otherwise; and
 - In the event a Department makes substantive changes to the Statement of Work and/or dollar amounts identified in the RFP, a new Prop A analysis shall be conducted;
2. Instructed the Director of Internal Services, County Counsel and the Acting Auditor-Controller to:
 - Jointly undertake a comprehensive review of contracting policies and practices in other jurisdictions, giving particular attention to the relative merits of the consensus vs. averaging scoring method; and
 - Return to the Board within 60 days with findings and recommendations to develop a new, consistent and uniformly applied contracting policy for the County to adopt as the “best practice,” provided that such policy incorporate provisions permanently prohibiting the destruction, and requiring the retention, of all scoring and evaluation materials;

(Continued on Page 4)

39-A (Continued)

3. Instructed County Counsel to report back to the Board in 60 days on:
 - a) Whether or not the Proposition A analysis can be released once the Request for Proposal (RFP) closes, and
 - b) Recommendations on establishing guidelines for an additional review of Proposition A when the Departments are adding amendments, asking, expanding the scope of the work; and
4. Instructed the Chief Executive Officer to report back in one week on how many RFPs were issued prior to November 21, 2008 that reference a scoring process, including how many there are and what they are for.

07112508_39A

Copies distributed:

Each Supervisor

All Department/District Heads